

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 25, 1950
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Pro-Tem Drake presiding.

Roll Call:

Present: Councilmen Drake, Johnson, Long, MacCorkle
Absent: Mayor Glass

Present also: Gulton Morgan, City Manager; Walter E. Seaholm, Director of Utilities; Trueman E. O'Quinn, City Attorney; C. G. Levander, Director of Public Works; R. D. Thorp, Chief of Police.

The minutes of the previous meeting were read, and Councilman Long moved that they be approved. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake
Noes: None
Absent: Mayor Glass

MRS. ANNA HAULEY presented a petition signed by approximately thirty-four citizens protesting the permit granted to MRS. KATHRYN JACKSON on May 18, 1950, to operate a clinic known as the STAUFFER SYSTEM at 903 West Avenue. (Petition on file in City Clerk's Office) MRS. KATHRYN JACKSON was present to speak in her own behalf, stating this was a clinic and permission was obtained in accord with regulations prescribed by the City. The Council referred this matter to the City Attorney to check if the Council's action was legal in granting this permit, and Mayor Pro-Tem Drake stated an answer would be given at the next Council meeting, Thursday, June 1st.

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, in accordance with the provisions of Chapter 3, Title 47 of the Revised Civil Statutes, as amended, the City Council of the City of Austin has heretofore requested the various banking institutions of the City of Austin to apply to be designated as a depository of the funds of the City of Austin; and

WHEREAS, it is found by the City Council that the Austin National Bank, American National Bank, Capital National Bank, Fidelity State Bank and Texas State Bank should be designated as a depository of the funds of the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. That the Austin National Bank, American National Bank, Capital National Bank, Fidelity State Bank and Texas State Bank are each hereby designated and selected as a depository of the City of Austin from the date hereof to June 1, 1951.

2. That when such depository banks have duly qualified by pledging with the City Council, for the purpose of securing city funds deposited with such depository banks, securities of the character provided in Article 2560, Revised Civil Statutes, as amended, which securities shall be approved as to kind and value by the City Council, the City Manager be and is hereby authorized and directed to deposit funds of the City of Austin in the Fidelity State Bank to the extent of \$50,000.00 and in the Texas State Bank to the extent of \$50,000.00, and to deposit in equal amounts (insofar as possible) the remainder of the funds of the City of Austin in the Austin National Bank, American National Bank and Capital National Bank.

3. Securities pledged with the City of Austin by depository banks shall be deposited as may be directed by the City Council.

4. It is further provided that when securities pledged by a depository bank shall be in excess of the amount of city funds then on deposit in said depository bank, the City Council shall permit the release of such excess; and when the city funds deposited with a depository bank shall, for any reason, increase beyond the amount of securities pledged by such depository bank with the City Council, such depository bank shall immediately pledge additional securities with the City Council so that the securities pledged shall at no time be of a value less than the total amount of city funds on deposit in said depository bank. It is further provided that the determination of the value of such securities shall be in the discretion of the City Council and the decision of the City Council shall be final and binding on the depository banks.

5. The City Manager and Finance Director are hereby authorized to allow such depositories the right of substituting securities, provided the securities substituted meet with the requirements of the law and are approved by the City Manager. Upon request of a depository bank the City Manager shall surrender interest coupons and other evidence of interest, when due, on securities deposited with the City Council by such depository bank, provided, said securities remaining pledged are ample to meet the requirements of law.

Which motion, duly seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle
Noes: None
Absent: Mayor Glass

The Council received the following letter:

" May 25, 1950

To The City Council
City of Austin, Texas

Re: Completion and Acceptance of Work of
Improving West 39th Street from
Guadalupe Street to Avenue B, being
Unit 13 of Current Improvement Program.

The work of improving West 39th Street from east property line of Guadalupe Street to east property line of Avenue B, known as Unit 13 in the current street improvement program, has been performed and completed by Collins Construction Company of Texas in full compliance with the contract, and the Plans and Specifications therein contained, dated November 22, 1949, between the City of Austin and Collins Construction Company, which contract was thereafter assigned to Collins Construction Company of Texas.

I have inspected, approved and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, Plans and Specifications referred to above.

Respectfully submitted,

(Sgd) C. G. Levander
Director of Public Works
City of Austin, Texas

Councilman Long then introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING WEST 39th STREET, UNIT 13, IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY COLLINS CONSTRUCTION COMPANY OF TEXAS, AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time, and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion, duly seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle
Noes: None
Absent: Mayor Glass

The ordinance was read the second time, and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, duly seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle
Noes: None
Absent: Mayor Glass

The ordinance was read the third time, and Councilman Long moved that the ordinance be finally passed. The motion, duly seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle
Noes: None
Absent: Mayor Glass

Mayor-pro-tem Drake then announced that the ordinance had been finally passed.

The Council received the following letter:

" May 25, 1950

To The City Council
City of Austin, Texas

Re: Completion and Acceptance of Work
of Improving Avenue B, from West 40th
Street to West 43rd Street, being Unit
15 of Current Improvement Program

The work of improving Avenue B, from north property line of West 40th Street to south property line of West 43rd Street, known as Unit 15 in the current street improvement program, has been performed and completed by Collins Construction Company of Texas in full compliance with the contract, and the Plans and Specifications therein contained, dated November 22, 1949, between the City of Austin and Collins Construction Company, which contract was thereafter assigned to Collins Construction Company of Texas.

I have inspected, approved and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, Plans and Specifications referred to above.

Respectfully submitted,

(Sgd) C. G. Levander
Director of Public Works
City of Austin, Texas

Councilman Long then introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF
IMPROVING AVENUE B, UNIT 15, IN THE CITY OF
AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW
DEFINED, PERFORMED BY COLLINS CONSTRUCTION COM-
PANY OF TEXAS, AUTHORIZING AND DIRECTING THE

ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN
CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND
PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE
IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time, and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, duly seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle
Noes: None
Absent: Mayor Glass

The ordinance was read the second time, and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, duly seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle
Noes: None
Absent: Mayor Glass

The ordinance was read the third time, and Councilman Long moved that the ordinance be finally passed. The motion, duly seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle
Noes: None
Absent: Mayor Glass

Mayor-pro-tem Drake then announced that the ordinance had been finally passed.

The Council received the following letter:

" May 25, 1950

To the City Council
City of Austin, Texas

Re: Completion and Acceptance of Work
of Improving West 40th Street from
Guadalupe Street to Avenue B, being
Unit 14 of Current Improvement
Program

The work of improving West 40th Street, from the east property line of Guadalupe Street to the east property line of Avenue B, known as Unit 14 in the current street improvement program, has been performed and completed by Collins Construction Company of Texas in full compliance with the contract, and the Plans and Specifications therein contained, dated November 22, 1949, between the City of Austin and Collins Construction Company, which contract was thereafter assigned to Collins Construction Company of Texas.

I have inspected, approved and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, Plans and Specifications referred to above.

Respectfully submitted,
(Sgd) C. G. Levander
Director of Public Works
City of Austin, Texas

Councilman Long then introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING WEST 40TH STREET, UNIT 14, IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREIN-BELOW DEFINED, PERFORMED BY COLLINS CONSTRUCTION COMPANY OF TEXAS, AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time, and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, duly seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle
Noes: None
Absent: Mayor Glass

The ordinance was read the second time, and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, duly seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle
Noes: None
Absent: Mayor Glass

The ordinance was read the third time, and Councilman Long moved that the ordinance be finally passed. The motion, duly seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle
Noes: None
Absent: Mayor Glass

Mayor-pro-tem Drake then announced that the ordinance had been finally passed.

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Mrs. Ethel H. Hawkes has made application in writing for permission to use and maintain in her residence a small nursery school for pre-school age children on Lot 17, Outlot 39, Division D, in the City of Austin, Travis County, Texas, the same being on the northeast corner of the intersection of West 22-1/2 and San Gabriel Streets, and locally known as 914 West 22-1/2 Street and is located in a "B" Residence District which, under Section #5, Item

#7 of the Zoning Ordinance, requires a special permit from the City Council; and

WHEREAS, this application has been considered and approved by the City Council of the City of Austin, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT permission for the use and maintenance of a small nursery school for pre-school age children at the above location be granted to Mrs. Ethel H. Hawkes.

Which motion, duly seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle
Noes: None
Absent: Mayor Glass

Councilman Long introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED:
"AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS
OF THE CITY OF AUSTIN; PRESCRIBING PENALTIES FOR THE
VIOLATION OF SAME; REPEALING ALL ORDINANCES OR PARTS OF
ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN
EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL
OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN
BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RE-
CORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 12(b) OF
ARTICLE III, RELATING TO STOP SIGN LOCATIONS, AND AMENDING
SECTION 22(f) OF ARTICLE IV, RELATING TO TWO-HOUR PARKING
LOCATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES
IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The ordinance was read the first time, and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, duly seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle
Noes: None
Absent: Mayor Glass

The ordinance was read the second time, and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, duly seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle
Noes: None
Absent: Mayor Glass

The ordinance was read the third time, and Councilman Long moved that the ordinance be finally passed. The motion, duly seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle
Noes: None
Absent: Mayor Glass

The Mayor then announced that the ordinance had been finally passed.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the construction of an addition to a private boat dock on the property owned by Marion Fowler, being the north 60 feet of Lot 21, Lakeshore Addition, in the City of Austin, Travis County, Texas, and listed in the Travis County Deed Records, and hereby authorizes the said Marion Fowler to construct, maintain and operate this private boat dock subject to the same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the construction of this addition to a private boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said Marion Fowler has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendation attached)

May 25, 1950

Mr. Guiton Mrogan
City Manager
Austin, Texas

Dear Sir:

I, the undersigned, have reviewed the plans and have considered the application of Marion Fowler, owner of a piece of property, being the north 60 feet of Lot 21, Lakeshore addition and listed in the Travis County Deed Records, for permission to construct an addition to a private boat dock projecting out into Lake Austin approximately 50 feet.

I recommend that Marion Fowler be granted permission to construct an addition to said private boat dock subject to the following conditions:

(1). That nothing but creosoted or cedar piles and heavy iron bolts or concrete be used in the construction of this pier, dock or wharf.

(2). That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

(3). That no structure shall extend into Lake Austin more than fifty (50) feet beyond normal high water or more than one-third the distance from shore to shore at point where structure is located, and not nearer than ten (10) feet to the side property or lease line.

(4). That every structure shall be equipped with proper lights which

show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

Respectfully submitted,
(Sgd) J. C. Eckert
Building Inspector

Which motion, duly seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Drake, Long, Johnson, MacCorkle
Noes: None
Absent: Mayor Glass

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the property located on the south side of Clayton Lane as a private gasoline plant, which property is owned by Mobilized House Movers, Inc., and is designated as part of Lots 1,2,3,4,5 and 6, John Rush Subdivision, in the City of Austin, Travis County, Texas, and hereby authorizes the said Mobilized House Movers, Inc., through their President, C. E. Gustafson, to operate a private gasoline plant consisting of a 1000 gallon underground tank and pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained, if, after hearing it is found by the City Council that the said Mobilized House Movers, Inc., have failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendation attached)

Austin, Texas
May 25, 1950

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

I, the undersigned, have considered the application of Mobilized House Movers, Inc., through C. E. Gustafson, President, for permission to operate a private gasoline plant consisting of a 1000 gallon underground tank and pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the south side of Clayton Lane, which property is designated as part of Lots 1,2,3,4,5 and 6, John Rush Subdivision, in the City of Austin, Travis County, Texas, and locally known as 803 Clayton

Lane.

This property is located in a "C" Commercial District and I recommend that this permit be granted subject to the following conditions:

- (1). That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.
- (2). That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street or alley.
- (3). That "NO SMOKING" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.
- (4). That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

Respectfully submitted,
(Sgd) J. C. Eckert
Building Inspector

Which motion, duly seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle
Noes: None
Absent: Mayor Glass

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council: therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in RABB GLENN STREET, from Paramount Avenue westerly 262 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said RABB GLENN STREET.

Said gas main described above shall have a cover of not less than 2½ feet.

(2) A gas main in BRYAN STREET, from a point 152 feet

east of Swenson Street easterly 88 feet, the centerline of which gas main shall be 7 feet north of and parallel to the south property line of said BRYAN STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main in EAST 8TH STREET, from a point 18 feet west of Swenson Street easterly 140 feet, the centerline of which property line of said EAST 8TH STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

The Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

Which motion, duly seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle
Noes: None
Absent: Mayor Glass

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, an easement along the common property line between Lots 13 and 14, Block "J", Delwood Section 2, was provided by the original plat of Delwood Section 2 Subdivision; and

WHEREAS, the owner of Lots 13 and 14 has constructed a residence across the easement and requested the City of Austin to release the easement in order to remove cloud from the title; and

WHEREAS, it has been found that the City of Austin does not and will not need the easement; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Guiton Morgan, City Manager, be and he is hereby authorized and directed to execute in behalf of the City of Austin a release of the certain easement along the common property line of Lots 13 and 14, Block "J", Delwood Section 2, a subdivision of a portion of the Thomas L. Hawkins Survey in the City of Austin, Travis County, Texas, as recorded in Plat Book 4, page 282, of the Plat Records of Travis County, Texas, said easement being more particularly described as follows:

Tract No. 1

The east five (5) feet of Lot 13, Block J of said Delwood, Section 2.

Tract No. 2

The west five (5) feet of Lot 14, Block J of said Delwood, Section 2.

Which motion, duly seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle
Noes: None
Absent: Mayor Glass

Discussion of leasing the property on the Sand Beach Reserve south of the new Missouri Pacific Depot was held. Mr. David Tisinger, on May 18, had requested consideration for leasing a part of this property. The City Attorney stated the Council could legally lease that portion to an individual on a concession basis. Councilman Long moved that the City Manager be instructed to prepare some rules and regulations and standards regarding the leasing of this tract, the amount to be leased, and to draw up a bid form or public notice for submission to the Council for approval next Thursday, June 1st. The motion, duly seconded, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, Mayor Pro-Tem Drake
Noes: None
Absent: Mayor Glass

At this point, Mayor Glass entered the Council Room, and presided over the meeting until it was recessed.

The Austin Chapter, Young Progressives of America, presented a statement commending the Council for creating a citizens board for Brackenridge Hospital, and requesting that at least one Negro, one Mexican-American, and two representatives of the white working people of Austin be appointed on this Board; and that this board should hold a public hearing at which citizens would have the opportunity to express their opinions and complaints about Brackenridge Hospital.

Councilman Long moved that the following applications for change of zoning be set for public hearing at 11:00 A.M., June 22, 1950:

DUPLEX ADVERTISING CO., INC.	Lot 14, Outlot 22, Division "A", Paul Simms Addition, 2618 E. 7th St.	From "A" Residence To "D" Industrial RECOMMENDED by the Zoning Board to include Lots 4-14; 18-27; 32-42; 46-56; 60-70; and 74-84.
FRANK RIEGER By Shelton and Shelton	Lots 1 and 2, Blk. 1, Theo. Lowe Heights, ne cor Lamar Blvd and West 29th, 1000 West 29th Street	From "A" Residence To "C" Commercial NOT Recommended by the Zoning Board

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The Mayor introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C-1" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON LOT 24, BLOCK 9, ROSEDOWN ADDITION, KNOWN AS 2105 HANCOCK DRIVE; SAID PROPERTY BEING IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time, and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Drake, carried by the following vote:

Ayes: Councilmen Drake, Johnson, MacCorkle, Mayor Glass
Noes: Councilman Long

The ordinance was read the second time, and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Drake, carried by the following vote:

Ayes: Councilmen Drake, Johnson, MacCorkle, Mayor Glass
Noes: Councilman Long

The ordinance was read the third time, and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman Drake, carried by the following vote:

Ayes: Councilmen Drake, Johnson, MacCorkle, Mayor Glass
Noes: Councilman Long

The Mayor then announced that the ordinance had been finally passed.

The following application for change of zoning was advertised for public hearing at 11:00 A. M. this date:

E. H. MILLER and MRS. E. T. MILLER, and additional property owners.	1006-12 West 26th Street and the area recommended by the Zoning Board to be included, which is that bounded on the south by W. 25th; on the west by Leon St. and Lamar Blvd.; on the north by W. 28th; and on the east by Nueces Street.	From "A" and "B-1" Residential To "B" Residential RECOMMENDED by the Zoning Board.
--	---	--

MR. RAYMOND FUHR represented the MILLERS in this request, stating they had contracted to sell this property to a Fraternity for building a Fraternity House. MRS. MILTON MORRIS, MISS MARY SCHULTZE, MRS. VAUGHN, JUDGE SHELLY, NORMAN ECKHART spoke favoring the change. MRS. WALTER WHITE, 1010 West 26, spoke in opposition, stating no one cared to live next to a Fraternity House. MR. THURLOW WEED spoke in opposition as did Mr. Whitaker at 26th and San Gabriel; also Mrs. Rose Mary Walling Harmon, 912 W. 26th. After a thorough discussion, Councilman Drake moved that the recommendation of the Zoning Board be upheld and the change granted, and the City Attorney instructed to draw up the necessary ordinance. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Drake, Johnson, MacCorkle, Mayor Glass
Noes: Councilman Long

MR. OTTO REIMANN, 1705 South 6th, inquired about opening a street in that vicinity which is on privately owned property. The Council stated the City could do nothing at this time; that perhaps the owner would voluntarily open it.

The City Manager submitted the recommendation of the Chief of Police that the permit to drive a taxicab, issued to HERMAN E. WHITE be revoked, due to his having been filed on for driving while intoxicated and being involved in a wreck. Councilman Johnson moved that the recommendation of the Chief of Police be upheld and the permit revoked. The motion, seconded by Councilman Drake, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The City Manager submitted a memorandum outlining various sections of the proposed zoning ordinance amendments. MR. JOHN ECKERT explained the suggestions as recommended by the Zoning Board of Adjustment. Councilman MacCorkle moved that the City Manager arrange a meeting with the Zoning Board and the City Council to discuss the suggested changes and for a general discussion of zoning. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the final plat of the Resubdivision of Block C and a portion of Blocks B and E of Shoalmont Addition, Section 3, approved by the City Plan Commission of the City of Austin on March 9, 1950, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the final plat of the subdivision known as "Willa Place", approved by the City Plan Commission of the City of Austin on July 10, 1947, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The City Manager submitted the following tabulation of bids received and opened at 10:00 A.M., May 19, 1950, for the Construction of two storm sewers located (1) through city property on Airport Blvd. from Schieffer Avenue to Wilshire Boulevard, and (2) Easement north of 30th Street from alley East of Guadalupe Street to alley East of Fruth Street:

Geo. B. Hatley Co.	\$ 16,854.80
Richard Schmidt & Son	22,968.00
Collins Construction Co.	23,470.40
Joe Bland Construction Co.	24,146.00
Karl Wagner	24,596.00

(City's estimate on this work is \$18,580.00)

Councilman Long moved that GEO. B. HATLEY COMPANY be awarded the contract as the low bidder at \$16,854.80. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Mayor Glass brought up the following ordinance for its first reading:

AN ORDINANCE REGULATING THE SALE, STORAGE AND HANDLING OF ALCOHOLIC BEVERAGES IN THE CITY OF AUSTIN; DEFINING CERTAIN TERMS; PROHIBITING VARIOUS ACTS; PRESCRIBING PROCEDURE FOR INVESTIGATION OF APPLICANTS; PROVIDING FOR THE LEVY AND COLLECTION OF OCCUPATION TAXES; PRESCRIBING PENALTIES; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY.

Councilman Long stated she would like to amend the ordinance with reference to Section 5, Paragraph (3) by adding that the applicant should be notified of the City's objections and be given specific reasons therefor, and that the applicant should be given the right of appeal to the Council. The City Attorney stated the protest must include the reasons required by State Law, and the State Law did not provide for an appeal to the Council--that the procedure met the State Law in which the Chief of Police and the City Attorney made the protest and any person dissatisfied with the treatment he had had could appeal to the Council. Councilman Long inquired about parochial schools--whether they would be included in the 300' distance or not. The City Attorney stated he would check into this.

The ordinance was then read the first time and Councilman MacCorkle moved that it be passed to its second reading. The motion, seconded by Councilman Drake, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

MR. STUART LONG invited the Council to the opening ceremonies for the Tenth Ward Little League, Saturday at 2:00 P.M. at the Civitan Field.

Councilman Drake offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, in response to the request of the Medical Staff of Brackenridge Hospital, the City Council authorized the employment of a hospital consultant to study the operations of Brackenridge Hospital and to make recommendations thereon to the Council; and

WHEREAS, Dr. Herman Smith of Chicago was employed to make such survey, and he has filed with the City Council his report and recommendations; and

WHEREAS, the City Council has considered this report, with particular reference to the appointment of a Hospital Board; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That an Advisory Hospital Board, to be composed of five citizens of the City of Austin, is hereby created. The City Council recognizes that, in the interest of good business, the sound operation of Council-Manager Government, and in conformity with the provisions of the City Charter, this Board must be an advisory board and cannot serve as an administrative board acting with administrative control of Brackenridge Hospital.

The City Council hereby prescribes the duties, responsibilities, and terms of office of the Board, as follows:

- (1) The Board shall consist of five (5) legally qualified citizens of the City of Austin who shall be appointed by the City Manager and confirmed by the City Council. Upon qualifying after appointment, the Board shall meet for the purpose of organizing and selecting one of the members as Chairman, one member as Vice-chairman, and one member as Secretary. As soon as the Board has been appointed, and has qualified for office, and has selected officers, the Board shall determine by lot the terms of office, and one member shall serve for a term of one year, two members shall serve for a term of two years, and two members shall serve for a term of three years; and re-appointment, or appointment of successors upon expiration of terms, shall be for terms of three years, and in the case of vacancies, appointment shall be for the unexpired term of the office being vacated.

- (2) The Board shall meet at least once each month and oftener as may be necessary.
- (3) The Board shall advise from time to time with the City Council, the City Manager, the Administrator of Brackenridge Hospital, and the Medical Staff of Brackenridge Hospital. The Board shall consider the policies, the operations, and the functionings of the Hospital from the standpoint of the public service, the furnishing of hospital services of all kinds to patients who are admitted, the operation of the out-patient department and special services, and shall consider the financial operations of the Hospital, the betterment of service operations, and any other matters involving the operations of the Hospital.
- (4) The Board shall not exercise administrative control of any of the employees of the Hospital or of any administrative matter pertaining to the Hospital, but shall have furnished to it, at all times any information pertaining to the Hospital, and shall be privileged to make recommendations from time to time as may be considered by the Board to be proper.
- (5) The Administrator of Brackenridge Hospital, the Chief of the Medical Staff, the Business Manager of the Hospital, and the Superintendent of Nurses are hereby made ex-officio members of the Board, and as such shall be privileged to attend all meetings of the Board; but such ex-officio members may not vote on any matters upon which the Board may vote or which may be the basis of any recommendations which the Board may make.

There was a discussion on this resolution. Councilman Long felt that the Council should appoint the Board, rather than the City Manager appointing it. The City Attorney stated the Council had the power to create departments and boards, but if they were to have any legal standing, they must be appointed by the City Manager.

The motion, seconded by Councilman Johnson, carried by the following vote
Ayes: Councilmen Drake; Long, protesting the manner in which it is appointed; Johnson, MacCorkle, Mayor Glass
Noes: None

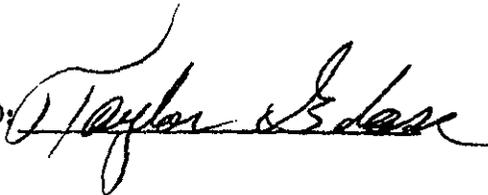
It was announced that by mutual agreement the taxi-cab ordinance would not be brought up this week, but will be brought up for second reading the following week.

The City Manager submitted to the Council for study SPECIFICATIONS FOR A GROUP INSURANCE PLAN FOR THE EMPLOYEES OF THE CITY OF AUSTIN. He stated five employees of the City had done a lot of work on the question of group insurance. He stated these five employees were HAROLD ROBINSON, Chairman; RUBEN ROUNTREE, ED ROSEN, BILL WILLIAMS, W. T. HARGIS. He thought the Council might want this

group to come before it and explain the outline.

Councilman Long recommended to the Council that it hold no more executive sessions.

There being no further business, the Council recessed subject to the call of the Mayor.

APPROVED: 

ATTEST:


City Clerk